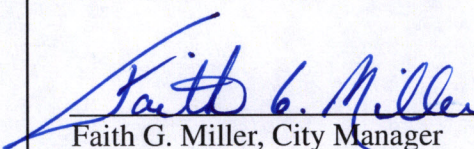


## AGENDA MEMO

**TO:** Mayor & City Commission      **AGENDA DATE:** 12/13/2010  
**FROM:** Faith G. Miller, City Manager      **AGENDA ITEM:** 4 - A  
**SUBJECT:** Request for Approval of Minutes - Regular City Commission Meeting of November 15, 2010.

<b>LOCATION:</b>	N/A
<b>BACKGROUND:</b>	N/A
<b>ORIGINATING DEPARTMENT:</b>	City Clerk's Office
<b>SOURCE OF FUNDS:</b>	N/A
<b>COST:</b>	N/A
<b>REVIEWED BY:</b>	City Clerk, City Manager
<b>STAFF RECOMMENDATION PRESENTED BY:</b>	City Clerk Joyce Kent - To approve the minutes of the Regular City Commission Meeting of November 15, 2010 as presented.
<b>POTENTIAL MOTION:</b>	"I move to approve the minutes of the Regular City Commission Meeting of November 15, 2010 as presented."
<b>AGENDA ITEM APPROVED BY:</b>	 Faith G. Miller, City Manager
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"><li>• 11-15-2010 Minutes</li></ul>



**CITY OF DELTONA, FLORIDA  
REGULAR CITY COMMISSION MEETING  
MONDAY, NOVEMBER 15, 2010**

A Regular Meeting of the Deltona City Commission was held on Monday, November 15, 2010 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

**1. CALL TO ORDER:**

The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

**2. ROLL CALL:**

Mayor	John Masiarczyk	Present
Vice Mayor	Paul Treusch	Present
Commissioner	Michael Carmolingo	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Heidi Herzberg	Present
Commissioner	Fred Lowry	Present
Commissioner	Herb Zischkau	Present
City Manager	Faith G. Miller	Present
City Attorney	Gary J. Cooney	Present
City Clerk	Joyce Kent	Present

Also present: Planning & Development Services Director Chris Bowley; Building & Zoning Services Director Cy Butts; Parks & Recreation Director Steve Moore; Fire Chief Robert Staples; Finance Director Bob Clinger; Public Works Director Glenn Whitcomb.

**3. SILENT INVOCATION AND PLEDGE TO THE FLAG:**

Mayor Masiarczyk led the audience in the silent invocation and the Pledge of Allegiance to the Flag.

Corrine Gonzalez sang the National Anthem.

**4. APPROVAL OF MINUTES & AGENDA:**

1. Regular City Commission Meeting – November 01, 2010.
2. Special City Commission Meeting – November 08, 2010

Motion by Vice Mayor Treusch, seconded by Commissioner Denizac to adopt the minutes of the Regular City Commission Meeting of November 1, 2010 and the Special City Commission Meeting of November 8, 2010 as presented. Commissioner Zischkau made a motion to amend the November 8<sup>th</sup> minutes on Page 4, Item 6, first paragraph, change the word Democratic to reflect a lower case d.

1 Motion carried with members voting as follows: Commissioner Carmolingo, for;  
2 Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for;  
3 Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, For.

4  
5  
6 **B. Additions or Deletions to Agenda:** None.

7  
8  
9 **5. PRESENTATIONS/AWARDS/REPORTS:**

10  
11 **A.**  
12 **Certificate of Recognition - Sheriff's Office Employee of the Quarter-Investigator**  
13 **Aaron Blais.**

14  
15 Mayor Masiarczyk presented Investigator Aaron Blais with a certificate from the City and  
16 congratulated him on a job well done.

17  
18 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

19  
20 a) Hector Garcia, stated that he is retired police officer and that he will not be providing his address  
21 as it is exempt. He stated that he is the former code enforcement manager of the City. He stated  
22 that there are two properties in his neighborhood that he is concerned about. The property at 1126  
23 Aladdin Dr. is a mess and has been for over five (5) years and as of today's date, the owner has not  
24 brought the property into compliance and it has now been five (5) months. He stated that he lives  
25 two (2) blocks from the location and drives by it every day. The other property that he is  
26 concerned about is 628 Horizon. He stated that he would like the City to provide him an update on  
27 these properties.

28  
29 Commissioner Denizac stated that she would like Staff to provide her a status update on these two  
30 properties also.

31  
32 b) John Hernandez, 773 Vercelli St, congratulated the new administration and reminded the  
33 Commission of the Deltona Day Parade that will be held on November 20<sup>th</sup>.

34  
35 c) Callie Wolfe, 1139 Madura Dr. with Mike Abrams Okinawan Martial Arts, stated that she would  
36 like to see this renewed and maintained at Wes Crile Park. She stated that the program teaches  
37 culture to children and that it is now open to women for self defense and to those with special  
38 needs.

39  
40 d) James Fly, 740 Enterprise Osteen Rd, welcomed the new administration and stated his concerns  
41 with his neighborhood. He stated that things have been let go for so long in the City. He stated that  
42 Code Enforcement is aware of the issues in his neighborhood. Mayor Masiarczyk asked staff to  
43 look into this issue as time did not allow.

44  
45 Commissioner Carmolingo apologized to Mr. Fly for the ongoing issues.

46  
47 e) Mike Williams, 2889 Cottageville St. stated that he is working with Mr. Moore on the Martin

Luther King (MLK) and gospel celebration. He also stated that the City is ready to list the first two (2) properties this week from the NSP program. The addresses are 311 Maguire St and 1729 E. Chapel. Re-Max and the City are working to sell these homes as quickly as possible.

**7. CONSENT AGENDA:**

Commissioner Denizac pulled Item 7-F and Commissioner Zischkau pulled Items 7-B and 7-C.

**Motion by Commissioner Denizac, seconded by Vice Mayor Treusch to approve Consent Items 7-A, 7-D, and 7-E.**

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

**\*A. Request for approval to Award Bid # PW 10-07 for As Needed Utility Supplies - Deltona Water.**

**Approved by Consent Agenda - to approve award of Bid #PW 10-07 for Utility Supplies to Ferguson Waterworks, Sunstate Meter & Supply and Hayes Pipe Supply at the discounted rates as listed in their bid for an initial period through September 30, 2011 and renewed annually for three additional one year renewal periods if funding is appropriated for each renewal period.**

**B. Request for Approval of Award of RFP #PW 10-08, As Needed Emergency Debris Removal Services.**

Commissioner Zischkau stated that he understands that the purpose of this request is to comply with FEMA regulations. He also understands that the City needs to have someone make it a reimbursable expense, therefore, he asked what the City does for the 365 days of the year when there isn't an emergency and if the City is using City resources or outside resources as he does not see the outside resources listed.

Mr. Whitcomb stated that on a day to day basis, the City removes all its own debris and hauls it to the landfill.

**Motion by Commissioner Zischkau, seconded by Commissioner Herzberg to approve award of RFP #PW 10-08, As Needed Emergency Debris Removal Services.**

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

**C. Request for Approval of Award of Bid #PW 10-09, As Needed New Sidewalk Installations and Repairs.**



Commissioner Zischkau stated that he would like to change the motion as presented because it refers to a total cost of \$600,000 and if the City is buying something as needed; the City should not be paying a flat fee. Commissioner Zischkau stated that he discussed this with the City Attorney and learned that there is a proper price schedule in the contract.

**Motion by Commissioner Zischkau, seconded by Commissioner Herzberg to approve award of Bid #PW 10-09 for the As Needed Sidewalk Installations and Repairs to Whitehouse Contracting, Inc. at a total cost not to exceed \$600,000.00 for an initial period through September 30, 2011 and renewed annually for three additional one year renewal periods if funding is appropriated for each renewal period.**

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

**\*D. Request for Approval of FY 09/10 Final Budget Amendment/Transfer.**

**Approved by Consent Agenda - approve General Fund budget amendment 2010-62 and Streetlighting Fund budget amendment 2010-63.**

**\*E. Resolution No. 2010-40, Asking the Volusia County Legislative Delegation to seek repeal of certain sections of Senate Bill 550.**

**Approved by Consent Agenda - Resolution No. 2010-40 Asking the Volusia County Legislative Delegation to seek repeal of certain sections of Senate Bill 550**

**F. Approval to piggyback State Contract #250-000-09-1 to use NEXUS IS, Inc.**

Commissioner Denizac stated that she is concerned with the wording in the agenda memo, it states that there is a potential savings and if it is not a real savings, then she would much rather see this renewal come back on a yearly basis.

Mr. Narvaez stated that the City will have a savings because the one year price is \$40,000 and if the City takes the three (3) year option that the company is offering, the one (1) year price is \$35,000 so we would save over \$4,000 per year on the contract. If the three (3) year option is not taken, the City would end up spending almost \$41,000 the first year with an increase to \$42,800 on the second year and in the third year we would be paying over \$44,000. She also asked if this is absolutely necessary. Mr. Narvaez confirmed that the support services are necessary as it provides service to the City's network, telephones, and communication sites.

**Motion by Commissioner Denizac, seconded by Commissioner Zischkau to approve the request for a 3 year maintenance contract thru NEXUS IS, Inc. for Cisco Smartnet warranty and support services at a total cost of \$107,809.26.**

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

**8. ORDINANCES AND PUBLIC HEARINGS:**

**A. Ordinance No. 12-2010, Amending the Capital Improvements Element (CIE) of the City of Deltona's Comprehensive Plan, for first reading.**

Mr. Paradise provided an annual update to the City's Capital Improvements Plan. He stated that this planning exercise is a state mandate and local governments within the state of Florida are required to show an update to their Capital Improvements Element (CIE) on an annual basis. The intent is to show that the City has a fiscally feasible manner of implementing the level of service standards that are articulated in the Comprehensive Plan. These are level of service standards for Class "A" concurrency items such as: roads, water, sewer, and storm water. Mr. Paradise also stated that the Capital Improvements Element (CIE) was formulated using the City's adopted budget and that none of the numbers have changed. Also, as a footnote, there are budget items for other governmental entities such as FDOT, Volusia County, and the school district. Local government is required to include these budgetary items in the Plan.

Commissioner Zischkau stated to Mr. Paradise "assuming that I know what is in your Capital Improvements Element, and I want to make a motion to approve the item, can you offer me a way to approve it when Attachment A is not attached to the agenda item." He stated that is aware of the CD but that he really doesn't know what is on the CD and that he needs to connect the CD to the document.

Mayor Masiarczyk stated that he reviewed the CD and that the plan is on the CD.

Ms. Miller stated that the Commission discussed that when staff has a particularly large item, the information would be placed on a CD and it has.

**Motion by Commissioner Zischkau, seconded by Commissioner Herzberg to approve Ordinance 12-2010 at first reading that amends and updates the City of Deltona's Capital Improvements Element of the Comprehensive Plan, as referred to in Section 1 of the draft ordinance as attachment A.**

Mr. Cooney read the title of Ordinance No. 12-2010.

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA PERTAINING TO A COMPREHENSIVE PLAN PROVIDING FOR A CAPITAL IMPROVEMENTS ELEMENT; AMENDMENT PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

Ordinance No. 12-2010 was adopted for first reading at 7:20p.m.

**B. Ordinance No. 17-2010, Amending City Code Section 110.1202.05 (15) and (16), Applications and proposals requiring public hearings, that pertain to the level of review required for development applications, for first reading.**

Motion by Commissioner Denizac, seconded by Commissioner Carmolingo to approve amending the City Code, Section 110.1202.05 (15) and (16), *Applications and proposals requiring public hearings*, that pertain to the level of review required for development applications, for first reading.

Commissioner Lowry asked if this would change the authority of the City Commission in any way. Mayor Masiarczyk stated he was concerned with this as well, however, he met with staff and explained that this process bypasses the Planning and Zoning Board (P&Z) and brings it directly to the Commission.

Commissioner Zischkau asked Mr. Bowley if the changes in the draft ordinance are the same that was presented at the last workshop. Mr. Bowley stated that they are.

Mr. Cooney read the title of Ordinance No. 17-2010.

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PERTAINING TO LEVEL OF DEVELOPMENT REVIEW; AMENDING SUBPARAGRAPHS 110-1202.05 (15) AND (16) OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA, FLORIDA; ALTERING THE LEVEL OF PLANNING AND ZONING BOARD REVIEW REQUIRED FOR CERTAIN DEVELOPMENT ACTIVITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.

Ordinance No. 12-2010 was adopted for first reading at 7:22 p.m.

**9. OLD BUSINESS:**

**A. Request for consideration of change in Commission meeting dates for 2010/2011 Holiday season.**

Vice Mayor Treusch stated that December is a slow month and he would like to have one meeting on December 13<sup>th</sup>.

Commissioner Denizac made the motion to combine both meetings into one and that she would like the meeting to be held on December 6<sup>th</sup>, Commissioner Lowry seconded.

Commissioner Carmolingo stated that he agreed with the Vice Mayor and would like the meeting held on December 13, which is the middle of the month. He also stated that if the Commission is meeting on the 4<sup>th</sup>, he would prefer not to meet on Saturday and again on Monday.



Vice Mayor Treusch stated that he chose the 13<sup>th</sup> because that is the middle of the month.

Mayor Masiarczyk asked for input from Staff and Ms. Miller stated that December 13 would allow more time for staff to prepare. Her other concern is that the Commission Workshops are traditionally held the second Tuesday of each month and that would fall on December 14, following the Commission meeting.

After discussion, Mayor Masiarczyk confirmed that there is a consensus among the Commission to hold a workshop/visioning session on December 4<sup>th</sup>, the Regular Commission Meeting on December 13<sup>th</sup>, and no further workshops in the month of December.

**10. NEW BUSINESS:**

**A. Request for Approval of 2010-2011 Facility Use Agreement for Okinawan Martial Arts for use of the Wes Crile Park Meeting Room.**

**Motion by Commissioner Denizac, seconded by Commissioner Lowry for the approval of the 2010-2011 Facility Use Agreement for Okinawan Martial Arts for use of the Wes Crile Park Meeting Room.**

Commissioner Zischkau made a recommendation to staff for the future requests, he suggested that staff provide a chart showing all such requests for waiver of fees and what the City provides for each one as this would allow consistency.

Mayor Masiarczyk asked if the City could extend the current contract for six (6) months and then take action as this would allow the Commission to review the guidelines.

Commissioner Denizac stated that she does object to Mayor Masiarczyk's request as she feels that the City should help the group for the remainder of the year and discuss this at the visioning session on December 4<sup>th</sup>. Mayor Maziarczyk asked Commissioner Denizac if she could modify the motion for a period of one year and leave out the language regarding renewals. She agreed and stated that she just wants to make sure all organizations are being treated fairly.

Commissioner Carmolingo asked Mr. Abrams if he is ok with the Commission's decision. Mr. Abrams stated that he thinks that the Commission is being very fair.

**Motion by Commissioner Denizac, seconded by Commissioner Carmolingo to keep the motion as written until the issue is re-visited at the visioning session.**

Mr. Cooney asked if that includes the rate as requested by the group. Mayor Masiarczyk stated that it is the current rate and is not going up.

**Motion carried with members voting as follows: Commissioner Carmolingo, for; Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for; Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

**B. Consideration of one (1) citizen representative to the TPO's Citizen Advisory**

1 **Committee.**

2  
3 **Motion by Commissioner Treusch, seconded by Commissioner Herzberg to confirm the**  
4 **appointment of Janet Deyette to the TPO's Citizen Advisory Committee.**

5  
6 Commissioner Denizac asked Staff where the City is advertising the board vacancies as she is  
7 concerned that in today's economy many people no longer have cable. Ms. Miller stated that these  
8 vacancies are advertised on D-TV, the City's web site and bulletin boards.

9  
10 **Motion carried with members voting as follows: Commissioner Carmolingo, for;**  
11 **Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for;**  
12 **Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

13  
14 **C. Consideration of appointment of a City representative to the Volusia Council of**  
15 **Governments (VCOG).**

16  
17 **Motion by Commissioner Zischkau, seconded by Commissioner Carmolingo, to confirm the**  
18 **appointment of John Masiarczyk to the Volusia Council of Government (VCOG).**

19  
20 **Motion carried with members voting as follows: Commissioner Carmolingo, for;**  
21 **Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for;**  
22 **Commissioner Zischkau, for; Vice Mayor Treusch, for; and Mayor Masiarczyk, for.**

23  
24 **D. Consideration of appointment of City representative to the River of Lakes Heritage**  
25 **Corridor Scenic Highway: Corridor Management Entity (CME).**

26  
27 **Motion made by Vice Mayor Treusch, seconded by Commissioner Lowry to confirm the**  
28 **appointment of Heidi Herzberg to the River of Lakes Heritage Corridor Scenic Highway:**  
29 **Corridor Management Entity (CME).**

30  
31 **Motion carried with members voting as follows: Commissioner Carmolingo, for;**  
32 **Commissioner Denizac, for; Commissioner Herzberg, for; Commissioner Lowry, for;**  
33 **Commissioner Zischkau, for; vice Mayor Treusch, for; and Mayor Masiarczyk, For.**

34  
35 **Mayor Masiarczyk called a five minute recess at 7:50 p.m. and called the meeting to order at**  
36 **7:55 p.m.**

37  
38 **E. Request for approval of Award of Bid #11001, Remodel Social Services Building for**  
39 **Volusia County Sheriff's Offices.**

40  
41 Commissioner Denizac asked the Commission to keep in mind that the City has spent a lot of  
42 money on the Social Services building; it was close to a million dollars to renovate and now  
43 \$250,000.00.

44  
45 Commissioner Lowry asked how far out the Public Safety Complex is since that will be housing  
46 the Sheriff's Department.

1 Vice Mayor Treusch stated that the Sheriff's Department move to Deltona Blvd. was to be a  
2 temporary move until the Public Safety Complex (PSC) was complete and he feels that the cost is  
3 too much and that the City should leave the Sheriff's Department where they are at.

4  
5 Commissioner Zischkau agreed with both Vice Mayor Treusch and Commissioner Denizac. He  
6 also feels that the Commission should put this off until the regular meeting in December after the  
7 visioning session.

8  
9 Commissioner Carmolingo disagreed and he stated that Providence Blvd is the center of the City  
10 and coverage around the City would be better. He stated that by not moving forward with this, the  
11 City is taking a step backwards.

12  
13 Commissioner Denizac agreed with Commissioner Carmolingo.

14  
15 Vice Mayor Treusch reviewed budget cuts among the City and stated that this move is not good  
16 business sense in this economy.

17  
18 Mayor Masiarczyk asked staff what the danger would be of delaying this until the visioning session  
19 and is there any deadline that needs to be met.

20  
21 Ms. Miller stated that the bid price is good for 90 days and that it is a 60 day construction time frame.  
22 She stated that the building is now vacant, the City has told the tenants to move out, and the Sheriff's  
23 Department lease is good thru April 30<sup>th</sup>. Ms. Miller reminded the Commission that the Commission  
24 did approve this amount and that the money is budgeted within the FY 10/11 budget, at \$250,000 to  
25 try to cover all expenses associated with the building. The location is more centrally located for the  
26 deputies to get out to the City. Ms Miller stated that the City spent about \$20,000 in professional  
27 design services to get the plans ready to go out to bid. Staff was hoping for it to come in lower but  
28 there were several modifications because it is an Essential Facility for law enforcement services so  
29 there were modifications that were more expensive required by City Code.

30  
31 Mayor Masiarczyk stated that if the Commission would like to discuss this more in depth, staff could  
32 make this a priority to get it done at the visioning session or the Commission could move forward  
33 with a recommendation tonight. Mayor Masiarczyk stated that he was ready to go along with this  
34 tonight because he felt that the former Commissioners had worked through this and had come up with  
35 a price that is in line with the price that was budgeted, but if the Commission would like to discuss it,  
36 he is in favor of that. Ms. Miller stated there are some alternates in the bid that possibly staff can look  
37 at if the Commission is going to wait until December 13 to vote.

38  
39 Commissioner Herzberg asked if the Sheriff's Department is currently located in the Winn Dixie  
40 shopping center and if the City is paying rent. Ms. Miller stated that the City is paying \$78,000 a year  
41 for the space on Deltona Blvd and about \$19,000 average in utilities.

42  
43 Commissioner Zischkau stated that he likes the idea of talking about this on December 4<sup>th</sup>,  
44 particularly since Ms. Miller stated that there are 60 days to build.

45  
46 Ms. Miller stated that it was expected that the Deltona facility might be empty for a month or two if  
47 the Sheriff's Department can get into the facility earlier. Mayor Masiarczyk stated that the City will



1 be paying rent anyway. Ms Miller stated that is correct as there is no "out" clause.

2  
3 Commissioner Zischkau asked if the City was to hold over for a month, how big of an expense would  
4 this be to the City and if the landlord would have any problems with this and Mr. Cooney stated from  
5 the landlord's perspective, he can't imagine that he would turn down money. Commissioner Zischkau  
6 then stated to Commissioner Carmolingo, "We have a perfect game going this evening I think we've  
7 been unanimous on every vote tonight and as you know I don't shy away from disagreement but if  
8 you could just let us put this over for discussion on Dec 4<sup>th</sup>, we may be able to keep our perfect game.  
9 Thank You."

10  
11 Commissioner Denizac stated that the City should move forward with this.

12  
13 Commissioner Carmolingo thanked Commissioner Denizac and stated that he doesn't feel like the  
14 lone wolf and he really appreciates her support. He stated that his way of thinking is never put off  
15 today what you can do today. He understands that a quarter million dollars is a lot of money but that  
16 the Sheriff's Department is extremely important to the City and the City needs to be sure that the  
17 Sheriff's Department has what they need to work with. He stated that the City has a great Captain  
18 who services the City very well.

19  
20 Mayor Masiarczyk stated that he is going to ask for a motion and is going to try to make this a perfect  
21 10-0 game. He stated that he can see the arguments from both sides. He suggested that the  
22 Commission approve this with an understanding that discussion take place for any possible savings  
23 that staff can work through. He reiterated that the Commission should approve this for discussion, so  
24 that the Commissioners are all familiar on exactly what those requirements are and how that price  
25 was reached.

26  
27 Commissioner Denizac stated that she will continue to advocate for this even when she hears that it  
28 may be on a temporary basis. She does not see the public safety complex starting anytime soon, and  
29 feels that this is going to be years in the making. She stated that in her opinion, this is not even the  
30 right time to have this discussion because the City has other priorities. Mayor Masiarczyk agreed to  
31 move this forward, but would like to spend time looking at possibilities of reducing the contract  
32 pricing.

33  
34 Vice Mayor Treusch stated that he would go with this motion now if the City would just say forget  
35 about the Public Safety Complex. The other thing that concerns him is that the two (2) buildings are  
36 so close together and the bid for relocation of the Sheriff's Department includes a commercial kitchen  
37 but right next door the Fire Department has such a kitchen. Vice Mayor Treusch also pointed that the  
38 Sheriff's Department is going to have a generator but right next door the Fire Department has a  
39 generator. He does not see the need for these expenses.

40  
41 Mayor Masiarczyk stated that this is all new and that he is willing to follow the Commission's lead  
42 and approve this item but he would like to reserve the right at the workshop/visioning session to make  
43 this the number one item and discuss.

44  
45 Commissioner Zischkau stated that he is in support of Mayor Masiarczyk's proposal to consider  
46 which changes could be made. He also stated that since the Fire Department is right next door and  
47 they may have some use for the building once the Public Safety Complex is complete, the

Commission might want to consider any additions to that building that can be included in the construction contract that the Fire Department must have if they are ever going to make use of the building. Commissioner Zischkau stated that he does not want to pour another million dollars or even another quarter million in renovations again. This really has to be the last time.

Mayor Masiarczyk stated that he does not favor not doing the project but what he does favor is trying to find ways that maybe the City can mitigate some of the huge costs and maybe the City can modify the cost. He stated that the City has got to find a purpose for that building to justify the expense because the people that are watching are tired of the City spending money without spending an amount of time really looking at long term.

**Motion made by Commissioner Denizac, seconded by Commissioner Carmolingo to approve the Award of Bid #11001 Remodel Social Services Building for Volusia County Sheriff's Office with in depth discussion to take place on December 4<sup>th</sup> at the Commission Workshop.**

**Motion carried with members voting as follows:**

Commissioner Carmolingo	For
Commissioner Denizac	For
Commissioner Herzberg	For
Commissioner Lowry	For
Commissioner Zischkau	For
Vice Mayor Treusch	Against
Mayor Masiarczyk	For

**11. CITY COMMISSION COMMENTS:**

- a) Commissioner Lowry stated that he is enjoying his seat on the Commission. Also he had an opportunity to attend the Vets Day celebration and it was very nice.
- b) Commissioner Denizac stated that this was a great meeting.
- c) Commissioner Carmolingo attended an event put on by the Youth Advisory Board (YASC). He was able to attend the Veterans Park event and that it was extremely well organized and a wonderful event. Sorry to hear about Mr. Garcia and that should not happen in his neighborhood. He stated that his neighborhood has cat issues and a neighbor of his called the code enforcement services and was told that all the cages were full, therefore and he would like the City to buy more to help resolve the issue.
- d) Commissioner Herzberg thanked staff and fellow Commissioners for making the Commission seat an easy transition for her. She attended the Veterans Park event and the Concert in the Amphitheatre. She also asked the Commission and staff if anyone had any information for discussion on the proposed \$28 million purchase from the County on SR 415.
- e) Commissioner Zischkau appreciated tonight's meeting.
- f) Vice Mayor Treusch stated that he enjoyed the Veterans Day functions around the County. Also, the Serenity House in Deland, now called Heaven Recovery services many of our vets and they

1 are in need of personal items this holiday season if anyone would like to donate to folks in need.

2  
3 g) Mayor Masiarczyk stated that he is concerned with attendance at City functions. One suggestion  
4 he has is a Community Bulletin Board. He also thanked the folks for a great Veterans Day  
5 celebration. The 415 issue needs to be addressed and researched by the Commission.  
6

7 **12. CITY ATTORNEY COMMENTS:**  
8

9 Mr. Cooney stated with the approval of tonight's resolution for the SB550 – he asked the  
10 Commission if there any other topics or anything else that he can include to the Volusia  
11 Delegation and if so, this must be in by Friday.  
12

13 **13. CITY MANAGER COMMENTS:**  
14

15 Ms. Miller clarified that Sheriff's Department did not ask to leave the location; they were  
16 instructed to leave by the former City Manager due to mold concerns.  
17

18 Also, Ms. Miller informed Commissioner Carmolingo that the animal traps have been freed up so  
19 that his neighborhood concern will be taken care of. She also reminded the Commission that the  
20 Holiday Pot Luck lunch will be held on Wednesday.  
21

22 **14. ADJOURNMENT:**  
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24 There being no further business, the meeting adjourned at 8:46p.m.  
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27  
28 **ATTEST:**  
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John C. Masiarczyk, Sr., MAYOR

32 **Traci Houchin, DEPUTY CITY CLERK**  
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